

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
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FILED

MAR 24 2003

INDIANA UTILITY
REGULATORY COMMISSION

CAUSE NO. 42388

IN THE MATTER OF THE PETITION OF)
FALLING WATERS HOMEOWNERS)
ASSOCIATION, INC. D/B/A FALLING WATERS)
TELECOM FOR A CERTIFICATE OF)
TERRITORIAL AUTHORITY TO PROVIDE)
SWITCHED AND SPECIAL ACCESS LOCAL)
EXCHANGE TELECOMMUNICATIONS,)
INCLUDING CALLER ID, TO A RESIDENTIAL)
DEVELOPMENT IN PORTER COUNTY,)
INDIANA AND FOR AN ORDER DECLINING)
TO EXERCISE JURISDICTION PURSUANT TO)
I.C. § 8-1-2.6)

You are hereby notified that on this date, the Indiana Utility Regulatory Commission has caused the following entry to be made:

On February 25, 2003, Petitioner, Falling Waters Homeowners Association, Inc. d/b/a Falling Waters Telecom ("Petitioner"), filed its Petition with the Commission seeking authority to provide switched and special access local exchange telecommunications services, including Caller ID, within the state of Indiana and requesting an Order by the Commission declining to exercise its jurisdiction pursuant to Ind. Code § 8-1-2.6.

On March 17, 2003, Petitioner, pursuant to 170 I.A.C. 1-1.1-4 and Ind. Code §§ 5-14-3-4 and 8-1-2-29, filed its *Motion for Protection of Confidential and Proprietary Information* (the "Motion") in the above captioned Cause. In its Motion, Petitioner indicated that certain financial documents (hereinafter "Confidential Material") consist of non-public information that is proprietary to the Company. The Petitioner indicated in its Motion that it has taken reasonable precautions against disclosure of the Confidential Material, and that public disclosure of the material could provide a competitive advantage to competitors of the Company. Petitioner's Motion is supported by the Affidavit of Mr. Anthony C. Floramo.

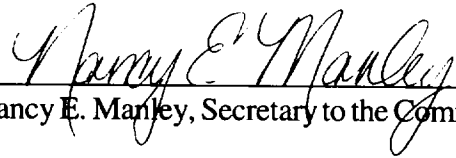
The Presiding Officer, having reviewed the information contained in the Petitioner's Motion now finds that there is a sufficient basis for a preliminary finding that confidential procedures are appropriate and should be followed concerning the Confidential Material to be submitted by the Company. Accordingly, the Petitioner should *hand deliver* to the Presiding Administrative Law Judge the Confidential Material, under seal and marked as confidential, and such information shall be treated as confidential on a preliminary basis, in accordance with Ind. Code § 5-14-3-4.

IT IS SO ORDERED.



Carol S. Comer, Administrative Law Judge

Date: 3/24/03



Nancy E. Manley, Secretary to the Commission